



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR 20 2016

CERTIFIED MAIL 7015 1730 0001 8044 2982
RETURN RECEIPT REQUESTED

Mr. Douglas Guy, VP of Construction
Standard Pacific of Florida GP, Inc.
220 West New England Ave, Suite 220
Winter Park, Florida 32789

Re: Notice of Violation
Eagle Lake Subdivision 4B
National Pollutant Discharge Elimination System Permit No.: FLR100000
Identification Number: FLR10NX67

Dear Mr. Guy:

On March 26, 2015, the U.S. Environmental Protection Agency Region 4 conducted a Compliance Stormwater Evaluation Inspection (CSWEI) at the construction site known as Eagle Lake Subdivision 4B, located east of Pleasant Hill Rd. and South of Granada Blvd, Kissimmee, Florida 34746 of which Standard Pacific of Florida GP, Inc. (Standard Pacific) is the owner and/or operator. The purpose of the CSWEI was to evaluate Standard Pacific's compliance with the requirements of Sections 301 and 402(p) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1342(p); the regulations promulgated thereunder at 40 C.F.R. § 122.26; and the Florida Department of Environmental Protection's *Generic Permit for Stormwater Discharge from Large and Small Construction Activities*, Permit No. FLR100000 (Permit), effective February 17, 2009.

The CSWEI, Standard Pacific's responses to the EPA's June 19, 2015 CWA Section 308 Information Request, and subsequent investigative efforts have revealed that Standard Pacific failed to comply with the requirements of Sections 301 and 402(p) of the CWA, 33 U.S.C. §§ 1311 and 1342(p), its implementing regulations at 40 C.F.R. § 122.26, and the State's Permit. Specifically, the following Permit provisions have been violated:

1. *Part V.D.4 of the Permit requires inspections "...within 24 hours of the end of a storm that is 0.50 inches or greater..."* The contractor's rainfall inspections conducted on September 11 and 25, 2014, were not within the timeframe specified in the Permit.
2. *Part V.D.4b of the Permit requires "...all maintenance operations needed to assure proper operation of all controls, BMPs, practices or measures identified in the stormwater pollution prevention plan shall be done in a timely manner, but in no case later than 7 calendar days following the inspection..."* The Eagle Lake inspection reports conducted on February 6, 11, 18, 25, March 1, 4, 11, 15, 25, April 1, 8, 15, 29, May 13, 27, 2015, documented that the required open maintenance action items were not addressed within seven (7) days.

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

3. *Part V.D.4b of the Permit requires "...pollution prevention controls, BMPs and measures identified in the [stormwater pollution prevention plan] plan shall be revised as appropriate, but in no case later than 7 calendar days following the inspection..."* Based on the EPA's review of Eagle Lake's inspection reports dated February 11, 16, 25, March 1, 4, 11, 18, 25, 2015, and on the EPA's CSWEI observations, the Agency has determined that excessive erosion causing rills had occurred at various locations. The plan shall be revised and implemented for a more effective stabilization control measure.
4. *Part V.D.2.a(1) of the Permit requires "Stabilization measures shall be initiated as soon as practicable, but in no case more than 7 days, in portions of the site where construction activities have temporarily or permanently ceased."* Based on the site representative statements at the time of inspection, the Agency has determined that there were areas where construction activities have temporarily ceased for more than 7 days without stabilization measures performed.
5. The *stormwater pollution prevention plan* specifies removal of built up sediments from silt fences when it reaches one half the height of the fence, and repairs for undercutting, damaged fabric, sagging, or other failures. Based on the EPA's review of Eagle Lake's inspection reports dated February 18, 25, March 1, 4, April 15, May 13, 2015, and on the EPA's CSWEI observations, the Agency has determined that silt fence repairs and maintenance were needed throughout the site.

Until compliance with the CWA is achieved, Standard Pacific is considered to be in violation of the CWA and may be subject to enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. This Section provides for the issuance of administrative penalty and/or compliance orders and the initiation of civil and/or criminal actions.

Please contact Mr. Michael Hom, Environmental Engineer at (404) 562-9748 or via email at hom.michael@epa.gov if you have any questions or concerns. Legal inquiries should be directed to Mr. Wayne Lee, Attorney Adviser, at (404) 562-9523 or via email at lee.wayne@epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Mr. Kim Ornberg
Seminole County

Mr. Jeffrey S. Longworth
Barnes & Thornburg LLP